

## EXPRESS MAIL CERTIFICATION

Date: 10/26/99 Label No.: 45426593

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Name (Print)

Signature



0973/1B889-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Michael SEUL

Serial No: To Be Assigned (U.S. National Phase of  
International Application No. PCT/US97/08159  
Filed 24 April, 1997)

Group Art Unit: n/a

Filed: Concurrently Herewith

Examiner: n/a

For: LIGHT CONTROLLED ELECTROKINETIC ASSEMBLY OF PARTICLES  
NEAR SURFACES

Honorable Commissioner of  
Patents and Trademarks  
BOX PCT  
Washington, D.C. 20231  
Attn.: DO/EO/US

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is Form PTO-1449, and copies<sup>1</sup> of the documents listed thereon. These documents

<sup>1</sup>To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

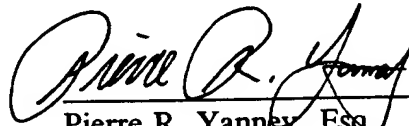
Applicant has become aware of the references disclosed herewith pursuant to a search report, a copy of which is enclosed, received in the corresponding international application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and

1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Pierre R. Yanney", is written over a horizontal line.

Pierre R. Yanney, Esq.  
Registration No. 35,418  
Attorney for Applicant(s)

Dated: October 26, 1998

**DARBY & DARBY P.C.**  
805 Third Avenue  
New York, N.Y. 10022  
(212) 527-7700

PRY:HR:ie

**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 0973/1b889-US1

SERIAL NO: To Be Assigned  
(U.S. Nat'l. Phase of Int'l.

APPLICANT: Michael SEUL

Appln. No. PCT/US97/08159  
Filed 24 April, 1997)

FILING DATE: Concurrently Herewith

**U.S. PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
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**FOREIGN PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES NO</u>
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**OTHER REFERENCES  
(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)**

\*EXAMINER  
INITIALS

1. S.R. Yeh, M. Seul, B.I. Shraimans, "Assembly of ordered colloidal aggregates by electric-field-induced fluid flow", Nature:Vol. 386.6 March 1997 pps. 57-59.
2. M. Giersig & P. Mulvaney, "Formation of Ordered Two-Dimensional Gold Colloid Lattices by Electrophoretic Deposition", J.Phys.Chem 1993, 97, 6334-6336.
3. M. Seul & C.A. Murray, "Scale Transformation of Magnetic "Bubble" Arrays: Coupling of Topological Disorder and Polydispersity", Science Vo. 262 22 Oct. 1993, pps. 558-560.
4. M. Trau, D.A. Saville, I.A. Aksay, "Field-Induced Layering of Colloidal Crystals", Science Vol. 272, May 1 1996, pps. 706-709
5. M. Seul & D. Andelman, "Domain Shapes and Patterns: The Phenomenology of Modulated Phases", Science, Vol. 267, 27 Jan. 1995, pps. 476-483.
6. The International Preliminary Examination Report dated April 27, 1998, received in the corresponding international application.

EXAMINER: \_\_\_\_\_

DATE CONSIDERED: \_\_\_\_\_

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): SEUL, Michael

Docket No.

464.1006 CON3

Serial No.

Not Yet Known

Filing Date

Herewith

Examiner

Group Art Unit

Invention:

Light-Controlled Electrokinetic Assembly of Particles Near Surfaces

1c931 U.S. PTO  
09/688572  
10/17/00I hereby certify that this Patent Application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on October 16, 2000

(Date)

Julie Bowker

(Typed or Printed Name of Person Mailing Correspondence)

  
(Signature of Person Mailing Correspondence)EF 264270346US

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CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231,

on February 10, 1999 (Date of Deposit)

2/10/99 Date J. Joseph Name

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ACCOUNT NO. 04-0100

J0931 U.S. PRO  
09/688572  
10/17/00

Docket No: 0973/1B889

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael SEUL

Serial No.: 09/171,550

Art Unit: To Be Assigned

Filed: October 26, 1998

Examiner: To Be Assigned

For: LIGHT-CONTROLLED ELECTROKINETIC ASSEMBLY OF PARTICLES NEAR SURFACES

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

February 10, 1999

INFORMATION DISCLOSURE STATEMENT

Sir:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is Form PTO-1449, and copies<sup>1</sup> of the documents listed thereon.

<sup>1</sup>To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent

These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal

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is known to the undersigned, then such equivalent patent is also cited in the annex to the attached copy of the Search Report; if no such English language equivalent is cited, then none is known to the undersigned.


course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required. However, should a first Official Action on the merits be mailed on or before the date of submission of this disclosure statement, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 04-0100.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Dated: February 10, 1999

  
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Reg. No. 35,418  
Attorney for Applicants

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New York, N.Y. 10022  
Phone (212) 527-7700



**LIST OF REFERENCES CITED BY APPLICANT**

(Use Several Sheets if Necessary)

DOCKET NO.: 0973/1B889  
APPLICANT: Michael SeulSERIAL NO: 09/171,550  
FILING DATE: October 26, 19981c931 U.S. PTO  
09/688572  
10/17/00**U.S. PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>NAME</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>FILING DATE</u>
	5,587,128	12/24/96	Wilding et al.	422	50	11/14/94
	5,498,392	03/12/96	Wilding et al.	422	68.1	09/19/94

**FOREIGN PATENT DOCUMENTS**

<u>*EXAMINER INITIALS</u>	<u>DOCUMENT NUMBER</u>	<u>DATE</u>	<u>COUNTRY</u>	<u>CLASS</u>	<u>SUBCLASS</u>	<u>TRANSLATION YES NO</u>
	WO 96/04547	02/15/96		G01N	27/00	

**OTHER REFERENCES****(INCLUDING AUTHOR, TITLE DATE, PERTINENT PAGES, ETC.)****\*EXAMINER  
INITIALS**Quantitative Monitoring of Gene Expression Patterns with a Complementary DNA Microarray," Mark Schena, Dan  
Shalon, Ronald W. Davis, Patrick O. Brown, *Science*, Vol. 270, pp. 467-470, October 20, 1995."Single Molecule Fluorescence Burst Detection of DNA Fragments Separated by Capillary Electrophoresis," Brian  
B. Haab and Richard A. Mathies, *Analytical Chemistry*, Vol. 67, No. 18, pp. 3253-3260, September 15, 1995.

EXAMINER: \_\_\_\_\_ DATE CONSIDERED: \_\_\_\_\_

**\*Examiner** : Initials if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not  
considered. Include copy of this form with next communication to applicant.